

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

BETHANY R. SCAER and STEPHEN :	:	
SCAER,	:	
	:	
Plaintiffs,	:	
	:	Case No. 1:24-cv-00277-LM-TSM
v.	:	
	:	
CITY OF NASHUA, <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	
	:	

PLAINTIFFS' NOTICE OF VOLUNTARY DISMISSAL OF INDIVIDUAL CAPACITY CLAIMS

Notice is hereby given that Plaintiffs Beth and Stephen Scaer voluntarily dismiss without prejudice the individual capacity claims against Defendants James W. Donchess and Jennifer L. Deshaies, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i). The official capacity claims against Defendants Donchess and Deshaies, as well as the claims against the City of Nashua, remain unchanged.

Dated: October 14, 2024

/s/ Roy S. McCandless

Roy S. McCandless
New Hampshire Bar No. 11850
ROY S. MCCANDLESS, ESQ., PLLC
125 North State Street
Concord, New Hampshire 03301
Tel: (603) 841-3671, Ext. 101
Fax: (603) 513-2799
roysmccandless@gmail.com

Respectfully submitted,

/s/ Nathan J. Ristuccia

Nathan J. Ristuccia*†
Virginia Bar No. 98372
Endel Kolde*
Washington Bar No. 25155
INSTITUTE FOR FREE SPEECH
1150 Connecticut Ave., NW
Suite 801
Washington, D.C. 20036
Tel: (202) 301-3300
Fax: (202) 301-3399
nristuccia@ifs.org
dkolde@ifs.org

**Pro hac vice to be filed*

Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on October 14, 2024, a copy of the foregoing document was served on all counsel of record, using the Court's CM/ECF system.

Dated: October 14, 2024

s/Nathan J. Ristuccia

† Not a D.C. Bar Member but providing legal services in the District of Columbia exclusively before federal courts, as authorized by D.C. Ct. App. R. 49(c)(3).